IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1234 OF 2006

Mrs.Supriya Shripad Kher .. Petitioner.
Vs.
The State of Maharashtra & Anr. .. Respondents.

Mr.R.D.Suryawanshi for the petitioner.
Mrs.M.M.Deshmukh A.P.P. for the State.
Ms.Manisha Pant i/b Bhave & Co. for respondent no.2.

CORAM : D.B.BHOSALE, J.

DATED : 9TH AUGUST, 2006

P.C.:

. Heard learned counsel for the petitioner and respondent no.2 and learned A.P.P. for the State.

2. This petition is directed against the order dated 11.10.2004 passed on the applications filed by the petitioner and respondent no.2 for return of the cash of Rs.4,05,000/-. The petitioner and respondent no.2 are husband and wife. On the basis of FIR lodged by the petitioner, C.R.No.304/2004 came to be registered under section 498-A and 406 of I.P.C. The petitioner claims this amount as "Stridhan". From perusal of the FIR it appears that the petitioner has alleged that respondent no.2 has misappropriated an amount of Rs.2,00,000/- and her ornaments. She had received the said amount of Rs.2,00,000/- after sale

of her flat. It is also alleged that some amount in cash was given by the petitioner's father to respondent no.2. I perused the order as also the other material placed before me and I am satisfied that the following order shall meet the ends of justice:

. The amount of Rs.2,00,000/- out of Rs.4,05,000/- be paid to the petitioner on her furnishing security to the satisfaction of the trial Court and an undertaking that she shall deposit the said amount if there is such direction of the Court either during trial or in the final judgment within four weeks therefrom. Insofar as remaining amount is concerned, same may be invested in the Nationalised Bank and the order to that effect may be passed by the trial Court within four weeks from today subject to final outcome of the case.

. With these observations this writ petition is disposed of.

(D.B.Bhosale, J.)